REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 45-46, 48-56, 58-65, 67-75, and 77-79 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Claims 80-84 are canceled.

Claims 45, 51, 55, 61, 65, 71, 75, and 80 were rejected under 35 U.S.C. §102(b) as being anticipated by JP 08-171488, as filed 3/17/05 as prior art. Note, Applicant believes this should be reference JP 08-171483 (filed 3/17/05 as prior art), whose teachings match the Examiner's comments.

As mentioned in the abstract, JP'483 discloses a selection means 1 for selecting a program to be activated at the time of supplying the power from an external program 4a and an internal program 5a. Even when the internal program 5b is not in normal operating condition, the external program 4a can be executed instead by the aid of the selection means 1. (Abstract, last sentence)

Whereas, in the present invention according to the independent claims, first data in an information processing apparatus and second data in another data storage cannot be accessed unless a booting program in the information processing apparatus is executed. In other words, the other data storage does not have a booting program. Such an arrangement is far from the teachings of JP'483. Based on this distinction, the present invention is clearly not obvious in view of JP'483 and the rejected claims should be allowed.

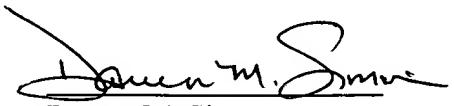
Claims 46, 48-50, 52-54, 56, 58-60, and 62-64 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP'483 in view of Hsu (U.S. Patent No. 5,785,598). Hsu is relied upon solely to meet the limitations of the dependent claims. As discussed above in relation to JP'483 and in the previously filed amendment, Hsu does not meet limitation of a booting program in the information processing apparatus as recited in the independent claims. Therefore, for at least this reason, the combination of JP'483 and Hsu fails to obviate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 

Darren M. Simon
Reg. No. 47,946
(212) 588-0800